

**Public Safety Wireless Network***Achieving Interoperability Through Cooperation and Coordination*

October 10, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas
Secretary
Federal Communications Commission
TW-A325
445 Twelfth Street, SW
Washington, DC 20554

Re: Reply Comments in response to Comments filed by other parties, In the Matter of the Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State, and Local Public Safety Communication Requirements Through the Year 2010, Establishment of Rules and Requirements for Priority Access Service, Fourth Notice of Proposed Rule Making, in WT Docket No. 96-86

Dear Ms. Salas:

On behalf of the Public Safety Wireless Network (PSWN) Program and pursuant to Section 1.419 of the Commission's rules, 47 C.F.R. § 1.419 (1999), enclosed herewith for filing are an original and four (4) copies of the PSWN Program's Reply Comments in the above-referenced proceeding.

Kindly date-stamp the additional, marked copy of this cover letter and return it in the envelope provided.

Should you require any additional information, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven Proctor".

Steven Proctor
Executive Director,
Utah Communications Agency Network
Executive Vice-Chair,
PSWN Executive Committee

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Federal Communications Commission
Washington, DC 20554

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In the Matter of)

The Development of Operational, Technical,
and Spectrum Requirements for Meeting
Federal, State, and Local Public Safety
Communication Requirements Through
the Year 2010)

Establishment of Rules and Requirements
for Priority Access Service)

WT Docket No. 96-86

PUBLIC SAFETY WIRELESS NETWORK PROGRAM'S

**REPLY COMMENTS IN RESPONSE TO COMMENTS FILED BY OTHERS TO THE
FOURTH NOTICE OF PROPOSED RULEMAKING**

1. The PSWN Program Executive Committee (EC), on behalf of the Public Safety Wireless Network (PSWN) Program,¹ respectfully submits the following Reply Comments in response to comments filed by other parties regarding the Commission's Fourth Notice of Proposed Rulemaking (NPRM), *In the Matter of the Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State, and Local Public Safety Communication Requirements Through the Year 2010, Establishment of Rules and Requirements for Priority Access Service*.² In the Fourth NPRM for the development of requirements for meeting public safety communications requirements through the year 2010, the Commission seeks input to the

¹ The PSWN Program is a federally-funded initiative operating on behalf of all local, state, and federal public safety agencies. The Department of Justice and the Department of the Treasury are jointly leading the PSWN Program's efforts to plan and foster interoperability among public safety wireless networks. The PSWN Program is a 10-year National Partnership for Reinventing Government (NPRG) initiative. The NPRG, previously known as the National Performance Review, is an effort to reengineer how government provides services to citizens through more effective use of information technology and through more concerted partnership efforts among government at all levels.

² Fourth NPRM WT Docket 96-86, rel. August 2, 2000.

proposed rules adopted mostly from the recommendations of the National Coordination Committee (NCC) for the interoperability spectrum in the 700-megahertz (MHz) band.

I. BACKGROUND

2. As an entity dedicated to enhancing public safety wireless communications and interoperability throughout the Nation and at all levels of government, the PSWN Program supports the quick development of standards based on the NCC recommendations for the 2.6-MHz of interoperability spectrum that is part of the 24 MHz allocated by the Balanced Budget Act of 1997 for public safety use. As Nokia stated in its comments, the Public Safety Wireless Advisory Committee (PSWAC) report found that by 2010, public safety across the country would require 73.5 MHz of spectrum in addition to the 24 MHz allocated in the 700-MHz band.³ The PSWN Program agrees that the wireless communications needs of the public safety community are growing at an alarming rate and believes spectral efficiency is paramount. The PSWN Program focuses on fostering interoperability in public safety and, because this new band may be available as early as 2006, is concerned with the most efficient use of the interoperability spectrum. Although the PSWN Program believes that expedited rules will accelerate the evolution of the 700-MHz equipment, the PSWN Program cautions the Commission to carefully plan the rules governing the interoperability band.

II. GUARD BANDS

3. The PSWN Program enthusiastically supports the NCC revised band plan for the channel sets in the 2.6 MHz of interoperability spectrum in the 700 MHz band.⁴ The NCC suggested that 25-kilohertz (kHz) channel sets be established with four sets of 6.25 kHz. The center pair of 6.25-kHz channels would serve as the interoperability channel, and the outer two 6.25-kHz channels would serve as guard channels.⁵ This design would also allow the aggregated 25-kHz channel to serve as a trunked channel where needed. The PSWN Program believes that

³ Nokia Comments at pp. 3.

⁴ NCC Comments at pp. 2-3.

⁵ *Id.*

incorporating guard channels would significantly reduce any chance of adjacent channel interference.

III. STATE INTEROPERABILITY EXECUTIVE COMMITTEE

4. One of the objectives of the NCC's recommendations was to place the administration of the interoperability channels on a level where it would not impact the daily operation of the either the Commission or the Regional Planning Committees (RPC). To accomplish this objective, the NCC proposed using State Interoperability Executive Committees (SIEC) to oversee the planning and administration of the interoperability band.⁶ The City of Mesa, Arizona, disagreed with the NCC recommendation, stating that the RPC was the most qualified body to administer the interoperability channels.⁷ The PSWN Program continues to support the use of SIECs, with their particular interoperability focus, to better manage the interoperability channels, noting that the SIECs, as envisioned by the PSWN Program and the NCC, would in no way assume or duplicate the invaluable roles of the RPCs and the Commission in the spectrum management process.

IV. SUBSCRIBER EQUIPMENT LICENSING

5. The PSWN Program concurs with those Commenters who support the required licensing of subscriber equipment in the interoperability channels. The PSWN Program thereby concurs with the NCC, which stated that the only way to ensure lack of disruption from unauthorized portable or mobile radios operating in the interoperability channels would be to license the equipment capable of operating in the bands through the appropriate RPC.⁸ The PSWN Program disagrees with the National Public Safety Telecommunications Council (NPSTC), which believes that a signed Memorandum of Understanding (MOU) would be enough to guard against disruption.⁹ The PSWN Program notes that without licensing, the potential for accidental or intentional misuse of the interoperability band could be significantly greater. The State of

⁶ *Id.* at pp. 4-5.

⁷ City of Mesa Comments at paragraph III.B.23.

⁸ NCC Comments at pp. 4.

⁹ NASTD Comments at pp. 3.

Florida suggested that no licensing should be required in the 700-MHz band because it does not benefit Florida's 800-MHz mutual aid channels.¹⁰ The PSWN Program disagrees that this one example applies on a national scale. To save lives, public safety needs to minimize any chance of communication disruption and licensing helps accomplish that goal.

V. ACCESS PRIORITY AND CALLING CHANNELS

6. For a nationwide interoperability channel to effectively work in response to emergency and other situations, a common priority scheme needs to be in place to control access to this spectrum. The NCC suggested a nationwide access system to assure all possible participants engaged the spectrum accordingly.¹¹ The PSWN Program concurs. Other commenters, such as the Public Safety Representatives and the State of Florida, believe that priority access should be designed and administered primarily at the state level.¹² The PSWN Program disagrees. To achieve interoperability among public safety entities at all levels of government, common rules must be established that would allow agencies from outside a particular state to quickly engage during an emergency response situation instead of being delayed in an effort to adhere to access rules that vary from state to state.

7. The PSWN Program agrees with the NCC that the FCC must establish mandatory monitoring for calling channels.¹³ Base stations should submit monitoring and calling channel signal coverage plans to the relevant RPC or SIEC, thereby ensuring the channels are most effectively designed with the local and state needs in mind.

VI. PROJECT 25

8. The PSWN Program concurs with the Commission and the majority of commenters that the Project 25, Phase I, standard would be the most beneficial interim standard for the 700-MHz interoperability spectrum.¹⁴ With the equipment currently available, backward and forward

¹⁰ State of Florida at pp. 3.

¹¹ NCC Comments at pp. 7-8.

¹² State of Florida Comments at pp. 5 and Public Safety Representatives Comments at pp. 10.

¹³ NCC Comments at pp. 8-9.

¹⁴ Fourth NPRM, WT Docket 96-86 at paragraphs 41-49.

compatibility, and strong nationwide public safety support noted by many commenters, it would be the obvious solution even though it does not satisfy the initial goal of the Commission regarding voice channel bandwidth. The PSWN Program strongly encourages a required migration plan to assist in ensuring an eventual move to 6.25 kHz per voice channel at some date to be determined based on band clearance, technology development, and other factors. The PSWN Program observes that a plan such as the one proposed by the Association of Public-Safety Communications Officials-International, Inc. (APCO) would be a viable solution.¹⁵

9. Both the North American TETRA Forum (NATF) and the Public Safety Representatives suggested that the Terrestrial Trunked Radio System (TETRA) would be a more effective solution because it currently meets the Commission's efficiency requirements and would be cheaper for the public safety community.¹⁶ The PSWN Program reminds the Commission that although TETRA is an efficient standard, it is not approved by the American National Standards Institute (ANSI), nor is any TETRA equipment currently available for the 700-MHz band. DataRadio states that the Project-25 standard is "obsolete."¹⁷ The PSWN Program cites, as it has repeatedly, the 10 years of manufacturer and public safety community cooperation that was necessary to establish Project 25 Phase I, and asserts that this standard has the unique advantage of both being forward and backward compatible and having ANSI approval. The PSWN Program further notes that DataRadio's renewed request in its Comments for a waiver to operate equipment in the general-use channels is not germane to the activities of the NCC or the Fourth NPRM, which focus entirely on the interoperability spectrum.

VII. PRE-COORDINATION DATABASE

10. The PSWN Program agrees with the NCC and APCO that the only way to make this nationwide band work on a national level is to have national coordination.¹⁸ This point is crucial because each region will impact neighboring regions where coverage areas overlap. If a database

¹⁵ APCO Comments at pp. 7–10.

¹⁶ NATF Comments at pp. 4 and Public Safety Representatives at pp. 12–13.

¹⁷ DataRadio Comments at pp. 1–2.

¹⁸ NCC Comments at pp. 14–15 and APCO Comments at pp. 16.

is used that allows all participants to be tracked and to work with each other, then inefficiencies and agency disputes can be avoided.

VIII. CONCLUSION

11. In conclusion, the PSWN urges the Commission to continue to strive for more efficient uses of public safety spectrum while striving to find the additional 73.5 MHz needed.
12. To ensure the eventual implementation of 6.25 kHz per channel technology, the PSWN Program supports the adoption of the NCC revised band plan.
13. The PSWN Program encourages the use of the interoperability expertise available in the SIECs to plan and administer the interoperability band.
14. To control abuse and inefficiency within the interoperability band, the PSWN Program supports mandatory subscriber equipment licensing.
15. To provide the capability to handle an emergency situation quickly and effectively, the PSWN Program urges the Commission to specify a nationwide access priority scheme and mandatory monitoring of calling channels.
16. The PSWN Program agrees that the only acceptable interim standard for the 700-MHz interoperability band is Project 25, Phase I, which provides forward and backward compatibility and efficient use of spectrum, and has substantial public safety acceptance.
17. The PSWN Program believes that with the establishment of a national pre-coordination database, the interoperability band can be used to its full potential and any agency disputes or inefficiencies can be avoided.
18. The PSWN EC commends the efforts of the NCC in developing its recommendations to the Commission, as well as those of other Commenters who provided responses to the Fourth

NPRM. The EC respectfully requests that the Commission carefully consider the PSWN Program's positions herein, submitted in light of the commentary of others.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven Proctor", written in a cursive style.

Steven Proctor
Executive Director,
Utah Communications Agency Network
Executive Vice-Chair,
PSWN Executive Committee

In the Matter of

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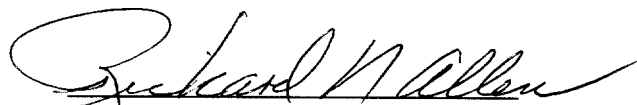
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WT Docket No. 96-86

CERTIFICATE OF SERVICE

I, Richard N. Allen, Senior Associate, Booz-Allen & Hamilton Inc., 8283 Greensboro Drive, McLean, Virginia, 22102-3838, hereby certify that on this date I caused to be served, by first-class mail, postage prepaid (or by hand where noted) copies of the Public Safety Wireless Network's Reply Comments in response to comments filed by other parties regarding the Commission's Notice of Proposed Rulemaking, *In the Matter of the Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State, and Local Public Safety Communication Requirements Through the Year 2010, Establishment of Rules and Requirements for Priority Access Service*, the original of which is filed herewith and upon the parties identified on the attached service list.

DATED at Fair Oaks, Virginia this 10th day of October 2000.


Richard N. Allen

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***HAND DELIVERED**